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JC377 U.S. PTO

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**UTILITY  
PATENT APPLICATION  
TRANSMITTAL**

for new nonprovisional applications under 37 CFR 1.53(b)

Attorney Docket No. CL-1035

First Named Inventor or Application Identifier

Robert Fallon

Express Mail Label No. EE655208284US

Express Mailing Date JULY 16, 1998

PTD  
09/16/98  
JC542 U.S. PTO

07/16/98

**APPLICATION ELEMENTS**

See MPEP chapter 600 concerning utility patent application contents.

**ADDRESS TO:** Assistant Commissioner for Patent  
Box Patent Application  
Washington, DC 20231

1. ☒ Fee (Authority to charge deposit account below.)  
(Submit an original, and a duplicate for fee processing)
2. ☒ Specification [Total Pages (preferred arrangement set forth below)
- Descriptive title of the invention
  - Cross References to Related Applications (if needed)
  - Statement Regarding Fed sponsored R & D (if needed)
  - Reference to Microfiche Appendix (if filed)
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
3. ☒ Drawing(s) (35 USC 113) [Total Sheets 

4. ☐ Oath or Declaration [Total Pages 
  - a. ☐ Newly executed (original or copy)
  - b. ☐ Copy from a prior application (37 CFR 1.63(d))  
(for continuation/divisional with Box 14 completed)
  - i. ☐ **DELETION OF INVENTORS**  
Signed Statement below at 15 deleting  
inventor(s) named in the prior application,  
see 37 CFR 1.63(d)(2) and 1.33(b).

5. ☐ Incorporation by Reference (useable if Box 4b is checked)  
The entire disclosure of the prior application, from which a  
copy of the oath or declaration is supplied under Box 4b, is  
considered as being part of the disclosure of the  
accompanying application and is hereby incorporated by  
reference therein.

6. ☐ Microfiche Computer Program (Appendix)
7. ☐ Nucleotide and/or Amino Acid Sequence Submission  
(if applicable, all necessary)
- a. ☒ Computer Readable Copy
  - b. ☒ Paper Copy (identical to computer copy)  
5 NO. OF PAGES
  - c. ☒ Statement verifying identity of above copies

**ACCOMPANYING APPLICATION PARTS**

8. ☐ Power of Attorney
9. ☒ Information Disclosure Statement (IDS)/Cover Letter plus PTO-1449 ☒ Copies of IDS Citations
10. ☐ Preliminary Amendment
11. ☒ Return Receipt Postcard (MPEP 503)  
(Should be specifically itemized)
12. ☐ Certified Copy of Priority Document(s)  
(if foreign priority is claimed)
13. ☐ Other:

14. If a **CONTINUING APPLICATION**, check appropriate box and supply the requisite information:  
☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior Application No.: \_\_\_\_/\_\_\_\_

15. ☐ **DELETION OF INVENTOR(S) STATEMENT:** This application is being filed by less than all the inventors named in the prior application. In accordance with 37 CFR 1.63(d)(2) and 1.33(b), the Assistant Commissioner is requested to delete the name(s) of the following person or persons who are not inventors of the invention being claimed in this application:
16. ☒ Amend the specification by inserting before the first line the sentence:  
-- This application claims benefit of Provisional Application No. 60/053,215 filed July 21, 1997. --
17. ☐ Cancel in this application original claims \_\_\_\_ of the prior application before calculating the filing. (At least one original independent claim must be retained for filing purposes.)
18. ☐ Priority of foreign Application No. \_\_\_\_\_ filed on \_\_\_\_\_ in \_\_\_\_\_  
\_\_\_\_\_ is claimed under 35 U.S.C. 119.  
(country)

CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
	TOTAL CLAIMS (37 CFR 1.16(c))	30 - 20 =	10	x \$ 22 =	\$ 220.00
	INDEPENDENT CLAIMS (37 CFR 1.16(b))	18 - 3 =	15	x \$ 82 =	\$ 1230.00
	MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$ 270 =	270.00
				BASIC FEE (37 CFR 1.16(a))	+ \$ 790.00
				TOTAL =	\$ 2510.00

19. The Commissioner is hereby authorized to credit overpayments or charge the following fees to Deposit Account No. 04-1928:

a. ☒ Fees required under 37 CFR 1.16.

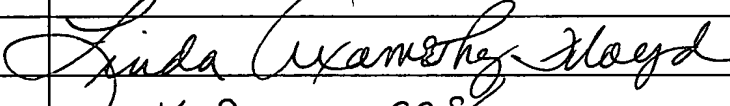
b. ☒ Fees required under 37 CFR 1.17.

20. ☐ Other:

#### 21. CORRESPONDENCE ADDRESS

NAME	Linda Axiamethy Floyd				
ADDRESS	E. I. du Pont de Nemours and Company				
	Legal - Patents				
	1007 Market Street				
CITY	Wilmington	STATE	Delaware	ZIP CODE	19898
COUNTRY	U.S.A.	TELEPHONE	302-892-8112	FAX	302-892-7949

#### 22. SIGNATURE OF ATTORNEY OR AGENT REQUIRED

NAME	Linda Axiamethy Floyd	REG. NO.:	33,692
SIGNATURE			
DATE	16 July 1998		



# American Type Culture Collection

12301 Parklawn Drive • Rockville, MD 20852 USA • Telephone: 301-231-5519 or 231-5532 • FAX: 301-816-4366

BUDAPEST TREATY ON THE INTERNATIONAL RECOGNITION OF  
THE DEPOSIT OF MICROORGANISMS FOR THE PURPOSES OF PATENT PROCEDURE

## INTERNATIONAL FORM

RECEIPT IN THE CASE OF AN ORIGINAL DEPOSIT ISSUED PURSUANT TO RULE 7.3  
AND VIABILITY STATEMENT ISSUED PURSUANT TO RULE 10.2

JC542 U.S. PRO  
09/116502  
07/16/98

To: (Name and Address of Depositor or Attorney)

The Dupont Company  
Attn: Mark S. Payne  
Glasgow Site 301, Box 6101  
Newark, DE 19714

Deposited on Behalf of: The DuPont Company (Docket # CL1035)

Identification Reference by Depositor:

ATCC Designation

*Pichia pastoris* SW64/65

74409

The deposit was accompanied by: ☐ a scientific description ☒ a proposed taxonomic description indicated above.

The deposit was received April 3, 1997 by this International Depository Authority and has been accepted.

AT YOUR REQUEST: ☒ We will inform you of requests for the strain for 30 years.

The strain will be made available if a patent office signatory to the Budapest Treaty certifies one's right to receive, or if a U.S. Patent is issued citing the strain, and ATCC is instructed by the United States Patent & Trademark Office or the depositor to release said strain.

If the culture should die or be destroyed during the effective term of the deposit, it shall be your responsibility to replace it with living culture of the same.

The strain will be maintained for a period of at least 30 years from date of deposit, or five years after the most recent request for a sample, whichever is longer. The United States and many other countries are signatory to the Budapest Treaty.

The viability of the culture cited above was tested April 16, 1997. On that date, the culture was viable.

International Depository Authority: American Type Culture Collection, Rockville, Md. 20852 USA

Signature of person having authority to represent ATCC:

  
Barbara M. Hailey, Administrator, Patent Depository

Date: April 17, 1997

cc: S. Neil Feltham



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## BUDAPEST TREATY ON THE INTERNATIONAL RECOGNITION OF THE DEPOSIT OF MICROORGANISMS FOR THE PURPOSES OF PATENT PROCEDURE

### INTERNATIONAL FORM

RECEIPT IN THE CASE OF AN ORIGINAL DEPOSIT ISSUED PURSUANT TO RULE 7.3  
AND VIABILITY STATEMENT ISSUED PURSUANT TO RULE 10.2

#### To: (Name and Address of Depositor or Attorney)

E. I. du Pont de Nemours & Company  
Attn: Dawn S. Clark  
Central Research & Development, Experimental Station  
E301/305, P.O. Box 80301  
Wilmington, DE 19880-0301

Deposited on Behalf of: The DuPont Company

#### Identification Reference by Depositor:

#### ATCC Designation

*Candida maltosa* SW84/87.2

74430

*Candida maltosa* SW81/82

74431

The deposits were accompanied by: ☐ a scientific description ☒ a proposed taxonomic description indicated above.

The deposits were received December 10, 1997 by this International Depository Authority and have been accepted.

#### AT YOUR REQUEST:

☒ We will inform you of requests for the strains for 30 years.

The strains will be made available if a patent office signatory to the Budapest Treaty certifies one's right to receive, or if a U.S. Patent is issued citing the strains, and ATCC is instructed by the United States Patent & Trademark Office or the depositor to release said strains.

If the cultures should die or be destroyed during the effective term of the deposit, it shall be your responsibility to replace them with living cultures of the same.

The strains will be maintained for a period of at least 30 years from date of deposit, or five years after the most recent request for a sample, whichever is longer. The United States and many other countries are signatory to the Budapest Treaty.

The viability of the cultures cited above was tested December 19, 1997. On that date, the cultures were viable.

International Depository Authority: American Type Culture Collection, Rockville, Md. 20852 USA

Signature of person having authority to represent ATCC:

Barbara M. Hailey  
Barbara M. Hailey, Administrator, Patent Depository

Date: December 22, 1997